

Entered - 04-23-01 - sb
CL 01L0254 - GWENDOLYN BURNS

CLAIM OF: **EUTAVIA DANIEL**
2256 Beecher Road, SW
Atlanta, Georgia 30311

01-R-1027

For bodily injuries alleged to have been sustained from stepping into an open and abandoned water meter on February 7, 2001 at 2300 Herring Road, SW.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION
COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **EUTAVIA DANIEL** the sum of **\$1,144.80** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for bodily injuries alleged to have been sustained from stepping into an open and abandoned water meter on February 7, 2001 at 2300 Herring Road, SW as is more particularly set forth in the within claim; said sum taken from and charged to account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

R FAVORABLE

REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 07/10/01
CHAIR: C. T. Martin

ADOPTED BY

JUL 16 2001

COUNCIL

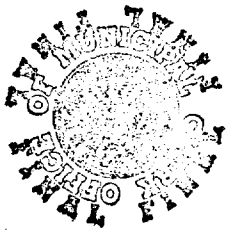
APPROVED

JUL 25 2001

WITHOUT SIGNATURE
BY OPERATION OF LAW

CERTIFIED
JUL 16 2001
Rosalind Rubens Newell
MUNICIPAL CLERK

CERTIFIED
JUL 16 2001
COUNCIL PRESIDENT PROTEM



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

01-R-1027

A RESOLUTION

BY: PUBLIC SAFETY & LEGAL ADMINISTRATION COMMITTEE

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to EUTAVIA DANIEL the sum of \$1,144.80 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for bodily injuries alleged to have been sustained from stepping into an open and abandoned water meter on February 7, 2001 at 2300 Herring Road, SW as is more particularly set forth in the within claim; said sum taken from and charged to account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Rhonda Daughlin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

JUL 16, 2001

JUL 25, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0254

Date: June 7, 2001

Claimant /Victim EUTAVIA DANIEL

BY: (Atty) (Ins. Co.) _____

Address: 2256 Beecher Road, SW, Atlanta, Georgia 30311

Subrogation: _____ Claim for Property damage: \$ _____ Bodily Injury \$ 7,500.00

Date of Notice: 4/13/01 Method: Written, Proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 2/7/01 Place: 2300 Herring Road, SW

Department WATER Division _____

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant sustained bodily injuries when she stepped into an open water meter. An investigation determined that the meter is located in the City's right-of-way in front of an abandoned house and has been open for some time. In fact, records show that the meter was last read in 1987.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others X Written X Oral _____

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial X

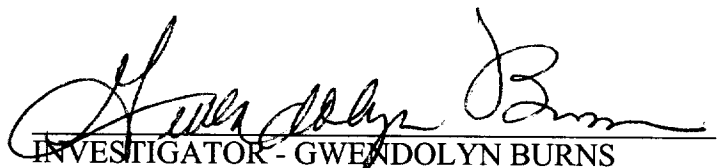
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____

City not involved _____ Offer rejected _____ Compromise settlement X

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 1,144.80 Adverse _____ Account charged: 1A01 _____ 2J01 X 2H01 _____

Claims Manager:  Concur/date 06-29-01

Committee Action: _____ Council Action _____

RCS# 2995
7/16/01
2:24 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 through 16

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

B McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	B Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA

01-O-0992 01-R-1108
01-O-0710 01-R-1041
01-O-0711 01-R-1042
01-O-1089 01-R-1043
01-O-0995 01-R-1065

CONSENT

07/16/01 Council Meeting		
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 01-O-1091	37. 01-R-1029	73. 01-R-1069
2. 01-O-0722	38. 01-R-1030	74. 01-R-1070
3. 01-O-0855	39. 01-R-1031	75. 01-R-1071
4. 01-O-0890	40. 01-R-1032	76. 01-R-1072
5. 01-O-0891	41. 01-R-1033	77. 01-R-1073
6. 01-O-0980	42. 01-R-1034	78. 01-R-1104
7. 01-O-0924	43. 01-R-1035	
8. 01-O-1086	44. 01-R-1036	
9. 01-O-1090	45. 01-R-1037	
10. 01-O-0731	46. 01-R-1038	
11. 01-O-0917	47. 01-R-1039	
12. 01-R-1013	48. 01-R-1040	
13. 01-R-1014	49. 01-R-1044	
14. 01-R-1015	50. 01-R-1045	
15. 01-R-1016	51. 01-R-1046	
16. 01-R-1007	52. 01-R-1047	
17. 01-R-1009	53. 01-R-1048	
18. 01-R-1012	54. 01-R-1049	
19. 01-R-1005	55. 01-R-1050	
20. 01-R-1006	56. 01-R-1051	
21. 01-R-1011	57. 01-R-1052	
22. 01-R-1109	58. 01-R-1053	
23. 01-R-1017	59. 01-R-1054	
24. 01-R-1077	60. 01-R-1055	
25. 01-R-1080	61. 01-R-1056	
26. 01-R-1019	62. 01-R-1057	
27. 01-R-1020	63. 01-R-1058	
28. 01-R-1021	64. 01-R-1059	
29. 01-R-1022	65. 01-R-1060	
30. 01-R-1023	66. 01-R-1061	
31. 01-R-1024	67. 01-R-1062	
32. 01-R-1025	68. 01-R-1063	
33. 01-R-1026	69. 01-R-1064	
34. 01-R-1027	70. 01-R-1066	
35. 01-R-1028	71. 01-R-1067	
36. 01-R-1107	72. 01-R-1068	